

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Chapter 26.27 of the Lincoln Municipal Code relating  
2 to Minimum Improvements by amending Sections 26.27.020, Sidewalks; 26.27.070, Street Lighting;  
3 26.27.080, Landscape Screens; and 26.27.090, Trees, to waive the requirement for the installation  
4 of the foregoing improvements for subdivisions located outside the city limits where all lots contain  
5 an area of one or more acres; and repealing Sections 26.27.020, 26.27.070, 26.27.080, and 26.27.090  
6 of the Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 26.27.020 of the Lincoln Municipal Code be amended to  
9 read as follows:

10 **26.27.020 Sidewalks.**

11 Concrete sidewalks shall be constructed to the specifications set forth in Chapter 14.80 of  
12 this code in pedestrian ways and on both sides of all streets and private roadways within the  
13 subdivision and on the side of the streets abutting the subdivision, except as otherwise provided in  
14 this title. Notwithstanding the above, the sidewalk requirements may be modified or waived in all  
15 or a are not required in that part of a subdivision located outside the city limits where all lots in the  
16 subdivision contain an area of one or more acres.

17 Section 2. That Section 26.27.070 of the Lincoln Municipal Code be amended to  
18 read as follows:

19 **26.27.070 Street Lighting.**

20 Street lighting shall be constructed in collector and local streets and private roadways within  
21 the subdivision and on the side of the streets and private roadways which abut the subdivision, with  
22 an underground connection to the local electrical system in accordance with the illumination  
23 requirements and design standards of the Lincoln Electric System. ~~This requirement may be~~  
24 ~~modified or waived in subdivisions outside the corporate limits that are not annexed into the city if~~

1 ~~all the individual lots are one (1) acre or more in area. Notwithstanding the above, the street lighting~~  
2 ~~requirements are not required in that part of a subdivision located outside the city limits where all~~  
3 ~~lots contain an area of one or more acres.~~

4               Section 3. That Section 26.27.080 of the Lincoln Municipal Code be amended to  
5 read as follows:

6 **26.27.080      Landscape Screens.**

7               Landscape screens as required by the city shall be installed at the subdivider's expense as a  
8 buffer for the protection of residential properties along major streets, railroad rights-of-way, and  
9 land uses which are substantially different from that proposed in the subdivision. The design of the  
10 landscape screen shall be reviewed and approved by the Planning Director in accordance with the  
11 design standards for landscape screens of the city on file with the City Clerk. The required  
12 landscape screens shall be installed on private property within the subdivision to be maintained by  
13 the subdivider, his heirs, successors, and assigns. The installation of the landscape screens shall be  
14 under the direction and subject to the approval of the director of parks and recreation. ~~This~~  
15 ~~requirement may be modified or waived in residential subdivisions outside the corporate limits that~~  
16 ~~are not annexed into the city if all individual lots are one acre or more in area. Notwithstanding the~~  
17 ~~above, the landscape screen requirements are not required in that part of a subdivision located~~  
18 ~~outside the city limits where all lots contain an area of one or more acres.~~

19               Section 4. That Section 26.27.090 of the Lincoln Municipal Code be amended to  
20 read as follows:

21 **26.27.090      Trees.**

22               Trees shall be planted along both sides of all streets and private roadways within the  
23 subdivision and on the side of the streets and private roadways which abut the subdivision. The  
24 trees shall be planted in the public right-of-way except along major streets in which case the trees  
25 shall be planted on the private property abutting such major streets. ~~This requirement may be~~  
26 ~~modified or waived in subdivisions outside the corporate limits that are not annexed into the city if~~

1 ~~all the individual lots are one acre or more in area.~~ Notwithstanding the above, the tree requirements  
2 are not required in that part of a subdivision located outside the city limits where all lots contain an  
3 area of one or more acres.

4 Section 5. That Sections 26.27.020, 26.27.070, 26.27.080, and 26.27.090 of the  
5 Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

6 Section 6. That this ordinance shall take effect and be in force from and after its  
7 passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004:

\_\_\_\_\_  
Mayor